

Applicant : Robert D. Tolles et al.  
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### REMARKS

Claims 1-42 are pending. Claims 12-18, 27 and 32-35 are withdrawn from consideration. Claims 1-11, 29-31 and 36-42 are allowed. Claims 19-26 and 28 are rejected. Claims 19 and 20 are amended. The applicant thanks the Examiner for allowing the claims set forth above. With respect to the rejected claims, the applicant requests reconsideration in view of the amendments and remarks below.

#### **I. The § 112 Rejections**

Claims 19-26 and 28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 19 has been amended to overcome the Examiner's rejection, in particular, to provide an antecedent basis. Applicant respectfully submits the claims are now in condition for allowance.

#### **II. The § 102 Rejection**

Claims 19 is rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 5,361,545 ("Nakamura"). Claim 19 recites a polishing apparatus including a support member rotatable about a first axis, at least two polishing surfaces arranged about said first axis and at least two substrate head assemblies. Each of said at least two substrate head assemblies are capable of supporting thereon at least one substrate in contact with a selected one of said polishing surfaces and each being supported on said support member. Reciprocal movement is provided between at least one substrate head assembly of said at least two substrate head assemblies and said selected polishing surface during engagement of said substrate with said selected polishing surface.

The Examiner asserts that the limitations of claim 19 are disclosed by Nakamura, and in particular states that elements 56a shown in Nakamura (see FIG. 5) correspond to the at least two substrate head assemblies recited in claim 19. The applicant respectfully disagrees. Each of the least two substrate head assemblies recited in claim 19 are capable of supporting thereon at least one substrate. In Nakamura, elements 56a are vacuum pads. A group of three vacuum pads 56a

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together support one carrying plate 20. Accordingly, a single vacuum pad 56a is not capable of supporting thereon at least one substrate, and the third claim limitation is not disclosed.

The Examiner further asserts that Nakamura discloses reciprocal movement, stating that such movement "can occur is arm is caused to move back and forth". The applicant respectfully disagrees. Claim 19 requires that reciprocal movement is provided between at least one substrate head assembly (of said at least two substrate head assemblies) and a selected polishing surface during engagement of said substrate with said selected polishing surface. In Nakamura, a transferring unit 34 transfers wafers between neighboring polishing machines 12A-D. The transferring unit 34 can deposit a wafer at a polishing machine for polishing, but does not remain in contact with the wafer while the wafer is being polished (see FIGS. 1 and 7-9). Accordingly, even if there is reciprocal movement of the transferring unit (which is not conceded), it is not "during engagement of said substrate with said selected polishing surface" as required by the claim.

Thus, for at least the reasons stated above, the limitations of claim 19 are not disclosed by Nakamura, and claim 19 is in condition for allowance. Claims 21-26 and 28 depend from claim 19 and are allowable for at least the same reasons.

### III. The Allowable Subject Matter

The Examiner indicated that claims 20-26 and 28 would be allowable if rewritten to overcome the 112 rejection and to include all of the limitations of the base claim and any intervening claims. Claim 20 has been rewritten in independent form, and is therefore in condition for allowance. Claims 21-26 and 28 depend from claim 19, and are allowable for at least the same reasons as stated above in reference to claim 19.

No fees are believed due, however, please apply any other charges or credits to deposit account 06-1050.

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Respectfully submitted,

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